King County	Department of Adult and Juvenile Detention Adult Divisions General Policy Manual	
	Chapter 6 **Resident Classification and Discipline**	
6.04.002 - Resident Grievance Procedures	Approved By:	Director Allen Nance
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Purpose
To establish a process by which a resident's complaints may be addressed.

Policy
It is the policy of this Department to provide residents with a method to seek resolution to a specific complaint or concern.

References

Federal:	Prison Rape Elimination Act (PREA)
	Americans with Disabilities Act (ADA)
DAJD Forms:	Resident Grievance Report (F-525)
	Resident Medical Grievance Form (1676)
	Supervisor's Incident Report (F-523)
DAJD Policies:	4.03.011 - Force Review Board
	4.03.014 - Use of Force
	6.01.012 - Accommodating Residents with Disabilities
	6.02.002 - Resident Disciplinary System
	6.04.001 - Prison Rape Elimination Act (PREA)
Other:	Resident Information Handbook

Definitions
ADA Coordinator: The staff member who is responsible for coordinating the Department's efforts in complying with and carrying out its responsibilities under the ADA.
Grievance: The process that provides the resident population a format to file complaints.
Grievance Administrator: A designated staff member who is responsible for managing the grievance process effectively and monitoring policy compliance.
Resident Grievance Tracking Log: A master log (maintained in JMS) where each grievance is recorded. The log includes a tracking number, the resident's name and booking number, the date the grievance was received, the assigned facility and the section to which the grievance is forwarded, among other information.
Respondent: A Department staff member responsible for coordinating and providing a thorough and equitable response to grievances raised by jail residents.
Section Coordinator: A staff member designated to coordinate grievances addressed to their particular section. Section Coordinators are Shift Commanders, the ITR Captain, the Court Detail Captain, the Food Services Supervisor, the Corrections Program Administrator and the Records and

Information Systems Manager. Section Coordinators will be responsible for reviewing and assigning grievances to respondents within their respective areas of responsibility.

Tracking Number: A unique number assigned to each grievance. The number consists of the numerical month, year, and a number based on the sequential order in which the grievance was received. As an example, '1024-001' would signify the month of October, year 2024, Grievance number 001.

A. General Guidelines

1. Grievable issues are legitimate complaints regarding facility conditions, actions or conduct by Department staff members or other residents, access to services and programs, and operational procedures.
2. Grievances and verbal complaints alleging a violation of the Prison Rape Elimination Act (PREA) will be handled in accordance with policy 6.04.001 - Prison Rape Elimination Act (PREA).
3. Non-grievable issues include actions that have a separate appeals process, matters beyond the control of the Department, planned events that have not yet occurred, and issues on behalf of other residents. For disciplinary appeals, refer to Department policy 6.02.002 - Resident Disciplinary System.
4. Except for instances alleging sexual misconduct, violations of PREA and/or violations of the ADA, residents shall attempt to first resolve their complaints or concerns via informal verbal discussion with staff.
5. Grievances alleging violations of the ADA should be submitted in writing or another accessible format and contain information about the alleged discrimination such as names of those involved, location, date, and description of the problem.
6. If a staff member and a resident are unable to resolve complaints or concerns informally, the resident may then submit a grievance via the Resident Portal located on their tablet. If a resident does not have access to a tablet, they may request a paper grievance to submit.
7. Residents who have a disability will be able to submit a grievance in a format that is accessible to them and allows them to express information as independently as possible without having to rely on third parties. Residents may also ask for the assistance of an interpreter to submit a grievance when necessary.
8. Residents may choose to submit a paper grievance without submitting it to a staff member who is the subject of the complaint. A locked box will be provided in each residential unit for submittal of grievances and appeals.
9. Unless stated otherwise below, a grievance must be submitted within 14 calendar days of the incident that is being grieved. This requirement applies even if the resident is released from the custody of the Department. Grievances submitted after 14 calendar days may be investigated if they raise issues or concerns relating to operations, safety and/or security. These investigations will be at the discretion of the Section Coordinator or higher authority.
    a. Grievances alleging violations of the ADA must be submitted as soon as possible but no longer than 60 days after the alleged violation.
    b. DAJD shall not impose a time limit on when a resident may submit a grievance alleging sexual misconduct, sexual abuse and/or sexual harassment.
10. Grievances must be responded to in writing or in accessible format for inmates with vision or other disabilities that prevent reading a written response.
11. Staff will not hinder or obstruct the writing or forwarding of any grievances.
12. Residents will not be retaliated against for submitting a grievance.
13. Once per shift, a Sergeant will collect and review all written grievances and appeals and forward them to the Grievance Administrator for processing. Any grievances requiring

immediate action will be handled by the receiving Sergeant.

14. The resident may file an appeal within five calendar days of receiving the grievance response.
15. Department staff will direct residents regarding how to obtain Resident Medical Grievance Forms (1676) and how to submit them.

B. Grievance Procedure

1. The Grievance Administrator shall:
   a. Receive all grievances submitted by jail residents;
   b. Review all grievances for validity per this policy.
   c. Review grievances for improper content.
   d. Forward all grievances, except for those alleging violations of the ADA, to the Section Coordinator.
   e. Forward all grievances alleging violations of the ADA to the ADA Coordinator for review, investigation and response.
   f. Collaborate bi-weekly with Section Coordinators to ensure all grievances are being processed within time guidelines.
   g. Ensure that responses are complete, accurate, direct, professional and substantiated by policies, procedures and resident rules. Policies, procedures and rules should be listed by number, if applicable.
   h. Mail a copy of the completed grievance (with response) to the resident's last known address (if the resident is no longer in custody) and maintain a copy in the file.
   i. Link related Resident Grievance Report (F-525) or Supervisor's Incident Report (F-523) regarding an incident or issue that has previously been grieved.
2. The Section Coordinator shall:
   a. Review each grievance to determine whether the complaint meets the criteria for a grievable issue.
   b. Assign grievances to appropriate personnel for response and obtain statements from involved staff. A Department staff member who is the subject of a grievance may not be the Respondent. It may be appropriate for the Section Coordinator to be the Respondent.
   c. Coordinate with the Grievance Administrator bi-weekly to ensure that Department staff are responding to grievances in an appropriate and timely manner.
3. The Respondent shall:
   a. Review, investigate (if necessary) and respond to the grievance within 10 days of the date the resident submitted it. Investigations may include taking statements from Department staff, residents or anyone involved. The Respondent may also need to review JMS Shift Logs, reports or other documentation relevant to the incident.
   b. Ensure that a resident with a disability has access to reasonable accommodations or auxiliary aids or services necessary to effectively communicate and participate in the investigation process.
   c. Respond to the initial grievance within 10 days, unless rare and extraordinary circumstances exist, in which case the Respondent shall inform the resident of the reason for the delay and the expected date of the response. Communication with the resident shall be in writing or in accessible format for inmates with vision or other disabilities that prevent reading written communications.
   d. Ensure that responses are complete, accurate, direct, professional and substantiated by specific policies, procedures and resident rules.
   e. If processing a paper grievance, provide the resident with a copy of both sides of the

double-sided completed response if they are in King County custody. Return the original (with response) to the Grievance Administrator.

f. Write "NIJ" on the original paper grievance if the resident is no longer in King County custody.
g. Return the original grievance (with response) and one double-sided copy of the original grievance to the Grievance Administrator.

4. The ADA Coordinator shall:
   a. Be responsible for reviewing, investigating and equitably resolving all ADA-related grievances. Investigations may include taking statements from Department staff, residents or anyone involved. The ADA Coordinator may also need to review JMS Shift or Auxiliary Aids and Services Logs, VRS records, reports or other documentation relevant to the incident.
   b. Meet with the grieving resident within 15 calendar days of receipt of the grievance to discuss the complaint and possible resolutions and provide any resident with a disability access to reasonable accommodations or auxiliary aids or services necessary to effectively communicate and participate in the investigation process.
   c. Respond in writing, or another format accessible to the complainant, within 15 calendar days of the meeting to explain the position of the Department and offer options for substantive resolution of the complaint.
   d. Ensure that responses are complete, accurate, direct, professional and address whether reasonable modifications to policies, procedures and resident rules or any physical barrier removals are necessary for a resident with a disability to communicate as effectively as other residents or to have equal opportunities to participate in or benefit from any programs, services, and activities.
   e. Ensure prompt implementation of any remedial measures necessary to provide residents with disabilities effective communication, equal opportunities to participate in and benefit from programs, services, and activities, and guarantees against retaliation.
5. Grievances alleging excessive or unnecessary use of force are subject to review, investigation and response according to the procedures outlined in Department policies 4.03.011 - Force Review Board and 4.03.014 - Use of Force.

C. Grievance Appeals

1. Residents may appeal a grievance response within 5 days from receipt of the original response. Appeals may only be made on the basis of new information that was not considered at the time of the original response, or an error made by the original reviewer, in which case the resident must explain the error that they believe was made.
2. Residents shall submit appeals via the Resident Portal, if the resident has access to a tablet. If the original grievance was submitted via the paper process, the appeal will be submitted on the copy received.
   a. Residents who have a disability will be able to submit an appeal in a format that is accessible to them. Residents may also ask for the assistance of an interpreter to submit an appeal when necessary.
   b. All appeals of grievances alleging violations of the ADA shall be forwarded to and handled by the Director.
   c. The Department staff member who responded to the original grievance may not also respond to an appeal of that response.
   d. The resident's appeal must be responded to no more than 20 calendar days after being

submitted by the resident, unless rare and extraordinary circumstances exist, in which case the Respondent shall inform the resident in writing (or in accessible format for inmates with vision or other disabilities that prevent reading written communications) of the reason for the delay and the expected date of response.

e. The Grievance Administrator shall:
   1) Review the appeal for new information that was not known or considered in the original grievance response.
   2) Reject or assign the appeal to the appropriate Section Coordinator.
   3) Mail a copy of the appeal (complete with response) to the resident's last known address if the resident is no longer in King County Custody
   4) Review appeal responses for completeness and accuracy, particularly looking for responses which are direct, professional and substantiated by specific, listed policies, procedures and resident rules.
   5) Link any subsequent grievances regarding an incident or issue that has previously been addressed.

f. The Section Coordinator shall:
   1) Review the resident's appeal to determine whether it meets the requirements listed above.
   2) Reject appeals that do not meet requirements.
   3) Respond to the appeal, unless the Section Coordinator was the original Respondent. If the Section Coordinator was the original Respondent, the appeal should be assigned to the appropriate Facility Major for response.

g. The Director or designee shall:
   1) Meet with the complainant to discuss the complaint and possible resolutions within 15 calendar days of the receipt of the appeal.
   2) Respond in writing or another format accessible to the complainant with a final resolution to the complaint within 15 calendar days of the meeting.

D. Misuse of the Grievance Process

1. Each of the following is considered a misuse of the grievance process:
   a. Providing false or inaccurate information.
   b. Using the grievance process to harass staff or other residents.
   c. Using the grievance process to disrupt operations.
   d. Using inappropriate, abusive, obscene, threatening or degrading words in the grievance.
   e. Filing a frivolous grievance (those without merit or a basis in fact).
   f. Filing additional grievances for the same complaint while an investigation is ongoing.
   g. Repeated submission of grievances for the same complaint after a final response has been received.
   h. Grieving a disciplinary finding or other disciplinary action.
2. Misuse of the grievance process may result in the following:
   a. Termination of the review of the grievance
   b. Possible disciplinary action
3. DAJD may discipline a resident for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the resident filed the grievance in bad faith.

E. Third Party Reporting

1. Reporting relating to allegations of sexual abuse and sexual harassment made by persons other than the resident shall be made in accordance with department policy 6.04.001 -

Prison Rape Elimination Act (PREA).

F. Records Storage

1. At the earliest possible time after completion of the grievance process, the Grievance Administrator will forward all completed grievances and appeals to the Records Office for storage/archiving.
2. The Records and Information Services Manager will maintain grievances on-site for one year. Thereafter, Grievances shall be retained in King County files according to King County policies for retention of records and applicable law.